

U.S. DISTRICT COURT, NORTHERN DISTRICT OF OHIO, EASTERN DIVISION

ALICIA ARENDS,)	CASE NO. 1:18-cv-02017-PAB
)	
Plaintiff,)	JUDGE PAMELA A. BARKER
)	
v.)	
)	
FAMILY SOLUTIONS OF OHIO, INC., et al.)	
)	
Defendants.)	

IMPORTANT NOTICE TO POTENTIAL CLASS MEMBERS

IF YOU WISH TO BE INCLUDED IN THIS ACTION, YOU MUST SIGN AND RETURN THE ATTACHED CONSENT FORM BY [60 days from distribution].

TO: Current and former Qualified Mental Health Specialists who worked for Family Solutions of Ohio, Inc. at any time between September 16, 2016 and the present.

PURPOSE OF THIS NOTICE

The purpose of this Notice is to inform you of a collective action that has been filed under the Fair Labor Standards Act (“FLSA”) and advise you of your rights as a potential opt-in. *If you wish to be included in this collective action, you must sign and return the enclosed Consent Form by [60 days from distribution].*

DESCRIPTION OF THE ACTION

This suit is being pursued by Plaintiff Alicia Arends on behalf of current and former Qualified Mental Health Specialists (“QMHS”) who worked for Family Solutions of Ohio at any time since September 16, 2016. The Court has conditionally certified the case as a collective action and ordered that notice be sent to all current and former QMHS, informing them of their right to join the case by submitting a Consent Form.

Plaintiff alleges that she and other QMHS are owed additional overtime compensation because Defendants did not pay them for all actual hours worked, including, but not limited to, time spent traveling, writing patient/client notes, and waiting for no-shows or late patients/clients.

Defendants deny Plaintiff’s allegations and contend that the QMHS are not owed additional compensation.

The Court has not decided who is correct and has no opinion as to the merits. “[A]t this state of the proceedings, the Court does not resolve factual disputes, decide substantive issues going to the ultimate merits, or make credibility determinations.” *Alicia Arends, et al. v. Family Solutions of Ohio, Inc.*, Memorandum Opinion and Order, September 16, 2019.

HOW TO PARTICIPATE IN THIS ACTION

To join this collective action, you must sign and return the enclosed “Consent Form.” You can do so by: (a) mailing it to Plaintiff’s counsel at Tittle & Perlmuter, 2012 West 25th Street, Suite 716, Cleveland, Ohio 44113, (b) faxing it to (888) 604-9299 or (c) scanning and emailing it to

scott@tittlelawfirm.com. If you received this Notice by email, you can also send a reply email with your contact info and Plaintiff's counsel will assist you in submitting a signed consent form.

Your signed Consent Form must be postmarked, faxed, or emailed by [60 days from distribution date].

The time period for which you can seek payment for your unpaid wages will depend on when your Consent Form is returned and filed with the Court. If you lose or misplace the Consent Form, or if you have any questions, you may contact Plaintiff's counsel as listed below.

NO RETALIATION PERMITTED

The law prohibits Defendants and their agents and employees from discharging you or in any manner harassing, discriminating, or retaliating against you for taking part in this collective action. If you believe you have been harassed or discriminated against for receiving this notice, considering whether to join this action, or actually joining the action, you may have grounds for a legal claim.

EFFECT OF JOINING THIS ACTION

If you join this collective action, you will be bound by any judgment that is rendered, whether favorable or unfavorable, and you will share in any recovery obtained by judgment or settlement. If you join this action, the named Plaintiff and her counsel will pursue the claims on your behalf. If the lawsuit is unsuccessful, there is a possibility that the Plaintiff and opt-ins may be responsible for proportionate shares of Defendant's costs in defending the lawsuit, not including attorneys' fees.

EFFECT OF NOT JOINING THIS ACTION

If you do not join this action, you will not be bound by any judgment or settlement, whether favorable or unfavorable, and you will not share in any recovery. You will be free to file your own lawsuit. However, the statute of limitations on your claims will continue to run until you file your own lawsuit.

PLAINTIFF'S COUNSEL

The attorneys who represent Plaintiff Alicia Arends are as follows:

Scott D. Perlmutter
Tittle & Perlmutter
2012 West 25th Street, Suite 716
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Chagrin Falls, Ohio 44022
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FURTHER INFORMATION

Further information about this Notice or the action may be obtained from Scott Perlmutter via phone at (216) 308-1522, or email at scott@tittlelawfirm.com. Communications with Scott Perlmutter are free and confidential.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ALICIA ARENDS,)	CASE NO. 1:18-cv-02017-PAB
On behalf of herself and all other persons)	
similarly situated,)	JUDGE PAMELA A. BARKER
)	
Plaintiff,)	
)	
v.)	
)	
FAMILY SOLUTIONS OF OHIO, INC.,)	
et al.)	
)	
Defendants.)	

OPT-IN AND CONSENT FORM

I hereby opt into the above-captioned collective action and consent to be a party Plaintiff.

I understand that by filing this consent, I will be bound by the judgment of the Court on all issues in this case.

Date

Signature

Printed Name

Street Address

City, State and Zip Code

Phone Number

Email address

Fax to (888) 604-9299

Or mail to Tittle & Perlmutter, 2012 West 25th Street, Suite 716, Cleveland, Ohio 44113

Or email to scott@tittlelawfirm.com